

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-FIRST LEGISLATURE

THIRTY-NINTH LEGISLATIVE DAY
THURSDAY, FEBRUARY 16, 2012

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Abigail Morris, Page.

Approval of Journal

February 16, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-eighth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

Consideration of Messages from the Governor and the Senate

February 15, 2012

Mr. Speaker:

I transmit herewith enrolled [S 1213](#) for the signature of the Speaker.

NOVAK, Secretary

The Speaker announced he was about to sign enrolled [S 1213](#) and, when so signed, ordered it returned to the Senate.

February 15, 2012

Mr. Speaker:

I transmit herewith [SCR 119](#) and [S 1263](#) which have passed the Senate.

NOVAK, Secretary

[SCR 119](#) and [S 1263](#) were filed for first reading.

Report of Standing Committees

February 16, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 547](#), [H 548](#), [H 549](#), [H 550](#), and [H 551](#).

WILLS, Chairman

[H 547](#) and [H 548](#) were referred to the State Affairs Committee.

[H 549](#) and [H 550](#) were referred to the Business Committee.

[H 551](#) was referred to the Local Government Committee.

February 16, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 404](#), as amended in the Senate.

WILLS, Chairman

[H 404](#), as amended in the Senate, was filed for first reading of engrossed bills.

February 15, 2012

Mr. Speaker:

We, your COMMITTEE ON BUSINESS, report that we have had under consideration [H 376](#), [H 419](#), [H 466](#), [H 467](#), and [H 468](#) and recommend that they do pass.

BLACK, Chairman

[H 376](#), [H 419](#), [H 466](#), [H 467](#), and [H 468](#) were filed for second reading.

February 15, 2012

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 517](#) and recommend that it do pass.

LAKE, Chairman

[H 517](#) was filed for second reading.

February 15, 2012

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 485](#) and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

[H 485](#) was placed on General Orders for consideration.

February 15, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration [H 532](#), [S 1265](#), and [S 1266](#) and recommend that they do pass.

WILLS, Chairman

[H 532](#), [S 1265](#), and [S 1266](#) were filed for second reading.

February 15, 2012

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [H 396](#), [H 397](#), [H 398](#), [H 399](#), [H 400](#), and [H 401](#) and recommend that they do pass.

STEVENSON, Chairman

[H 396](#), [H 397](#), [H 398](#), [H 399](#), [H 400](#), and [H 401](#) were filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

HOUSE CONCURRENT RESOLUTION NO. 36
BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

HONORING AND COMMENDING STEVEN R. APPLETON FOR HIS PROFESSIONAL AND PERSONAL CONTRIBUTIONS TO THE STATE OF IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Steven R. Appleton, a dedicated husband, devoted father, community philanthropist and Chairman and CEO of Micron Technology, Inc., passed away on February 3, 2012; and

WHEREAS, Steve Appleton graduated from Boise State University in 1982, where he excelled in tennis, winning the Big Sky doubles championship his senior year, and received the Distinguished Alumni Award in 1995, the Silver Medallion Award in 2001 and an honorary doctorate from the University in 2007; and

WHEREAS, in 1983, Steve Appleton went to work for Micron Technology on the production line and quickly rose through the ranks to become CEO, president and chairman in 1994; and

WHEREAS, at the age of 34, Steve Appleton became the youngest CEO and Chairman of a Fortune 500 company; and

WHEREAS, in 1999, Steve Appleton established the Micron Foundation, which has donated millions to community, K-12 and higher education needs in the State of Idaho and has grown to become the largest corporate foundation based in Idaho; and

WHEREAS, from 2001 to 2004, in an effort to preserve jobs, Steve Appleton refused to take a salary until the company was once again profitable; and

WHEREAS, Steve Appleton grew Micron Technology into a global company employing more than 23,000 team members worldwide with locations in more than 20 countries in North America, Europe, Asia and the Middle East, and yielding annual revenues of \$8.7 billion; and

WHEREAS, Steve Appleton maintained the company's corporate headquarters in Idaho, ultimately becoming the last United States-based memory chip manufacturer; and

WHEREAS, Steve Appleton was an industry leader serving on the Board of Directors of the Semiconductor Industry Association, the World Semiconductor Council and the National Semiconductor Technology Council; and

WHEREAS, Steve Appleton was recognized for his professional accomplishments with the Intercollegiate Tennis Association's Achievement Award in 2005 and the Semiconductor Industry Association Robert N. Noyce award in 2011; and

WHEREAS, Steve Appleton created thousands of jobs in the Treasure Valley and was a prominent and humble donor to countless Idaho charitable and educational institutions; and

WHEREAS, Steve Appleton was an accomplished pilot, motocross racer, off-road racer, adventurer and one who embraced all life had to offer.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-first Idaho Legislature, the House of Representatives and the Senate concurring therein, that the lifetime achievements of Steven R. Appleton, a leader in the community, the State of Idaho and the global marketplace, be recognized, honored and commended.

HCR 36 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

SCR 119, by Commerce and Human Resources Committee, was introduced, read the first time by title, and referred to the Business Committee.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

House of Representatives
State of Idaho

February 15, 2012

The Honorable Richard Wills, Chairman
Judiciary, Rules, and Administration Committee

Dear Representative Wills:

I hereby designate the Judiciary, Rules, and Administration Committee a privileged committee on Wednesday, February 15, 2012, for the purpose of introducing RS 21304, (**H 552**).

Sincerely,
/s/ Lawrence Denney
Speaker of the House

**HOUSE BILL NO. 552
BY JUDICIARY, RULES, AND ADMINISTRATION
COMMITTEE
AN ACT**

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-202, IDAHO CODE, TO ESTABLISH A CERTAIN FEE, TO REQUIRE THAT SUCH FEE BE DEPOSITED INTO A CERTAIN FUND AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 19-5202, IDAHO CODE, TO REQUIRE THAT CERTAIN FEES BE PAID INTO THE PUBLIC SAFETY AND SECURITY INFORMATION FUND.

**HOUSE BILL NO. 553
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO CIVIL OFFICES; AMENDING SECTION 59-901, IDAHO CODE, TO PROVIDE FOR VACANCIES IN ELECTIVE CIVIL OFFICES UPON THE OCCURRENCE OF CERTAIN SPECIFIED CONDITIONS AND TO MAKE TECHNICAL CORRECTIONS.

**HOUSE BILL NO. 554
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO THE PUBLIC UTILITIES COMMISSION; AMENDING CHAPTER 5, TITLE 61, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 61-502C, IDAHO CODE, TO DEFINE TERMS, TO SPECIFY THE DISCLOSURE OF ELECTRICITY RATE IMPACTS ASSOCIATED WITH LARGE CAPITAL EXPENDITURES ANTICIPATED TO BE SUBMITTED TO THE PUBLIC UTILITIES COMMISSION FOR INCLUSION INTO RATES AND TARIFFS IN IDAHO; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 555
BY STATE AFFAIRS COMMITTEE
AN ACT**

RELATING TO OVERSIGHT OF FEDERAL HEALTH CARE REFORM; AMENDING CHAPTER 90, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-9005, IDAHO CODE, TO PROVIDE LEGISLATIVE FINDINGS, TO PROVIDE OVERSIGHT OF FEDERAL HEALTH CARE REFORM AND TO DEFINE A TERM; AMENDING SECTION 67-456, IDAHO CODE, TO REVISE

THE NAME OF A CERTAIN COMMITTEE, TO REVISE PROVISIONS RELATING TO MEETINGS OF THE SPECIAL OVERSIGHT COMMITTEE ON HEALTH CARE REFORM, TO REVISE THE DUTIES OF SUCH COMMITTEE AND TO REQUIRE CERTAIN REPORTS; AND DECLARING AN EMERGENCY.

[H 552](#), [H 553](#), [H 554](#), and [H 555](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1263](#), by Judiciary and Rules Committee, was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

First Reading of Engrossed Bills

[H 404](#), as amended in the Senate, by State Affairs Committee, was introduced, read the first time by title, and filed for second reading.

Second Reading of Bills and Joint Resolutions

[H 490](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[HJM 8](#), by Education Committee, was read the second time by title and filed for third reading.

[H 439](#), [H 441](#), and [H 442](#), by Health and Welfare Committee, were read the second time by title and filed for third reading.

[H 506](#), by Local Government Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 10:30 a.m., Friday, February 17, 2012. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:07 p.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk